



NEWS RELEASE

CALIFORNIA SECRETARY OF STATE **BRUCE McPHERSON**

05:145

FOR IMMEDIATE RELEASE
Tuesday, December 20, 2005

Contact: Jennifer Kerns
916-653-6575

Statement from Secretary of State Bruce McPherson Regarding Status of Diebold Application for Voting System Certification

Sacramento, CA --- Secretary of State Bruce McPherson made the following statement today regarding the status of Diebold's pending application for voting system certification:

"During a thorough review of the application for the Diebold system currently pending certification, we have determined that there is sufficient cause for additional federal evaluation.

"I have consistently stated that I will not certify any system for use in California unless it meets the most stringent voting system requirements. We are at a critical crossroads for voting system technology; therefore, we must take every available step to ensure the security and integrity of every vote cast in this new electronic age.

"I will continue to work closely with counties throughout California to develop a plan for compliance with both state and federal requirements. In addition, I believe that it is critical for federal, state and local governments to work together to solve the larger issues of voting system security and accessibility.

"The integrity of every vote cast is my number one priority."

**Enclosed is a copy of the letter sent to Diebold today from the Secretary of State*



BRUCE McPHERSON | SECRETARY OF STATE | STATE OF CALIFORNIA

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December 20, 2005

David Byrd, Vice President
Diebold Election Systems, Inc.
P.O. Box 1019
Allen, Texas 75013

Dear Mr. Byrd:

As you know, Diebold's application for voting system certification in California is currently under review with the Secretary of State's Office (see chart below for components currently under review).

Unresolved significant security concerns exist with respect to the memory card used to program and configure the AccuVote-OS and the AccuVote-TSX components of this system because this component was not subjected to federal source code review and evaluation by the Independent Testing Authorities (ITA) who examined your system for federal qualification. It is the Secretary of State's position that the source code for the AccuBasic code on these cards, as well as for the AccuBasic interpreter that interprets this code, should have been federally reviewed.

Furthermore, we strongly believe it is the duty and responsibility of the Secretary of State and you to make certain that the ultimate users of your products – the voters of California – have a voting system that has been thoroughly and rigorously evaluated. Therefore, we are requesting that you submit the source code relating to the AccuBasic code on the memory cards and the AccuBasic interpreter to the ITA for immediate evaluation.

We require this additional review before proceeding with further consideration of your application for certification in California. Once we have received a report from the federal ITA adequately analyzing this source code, in addition to the technical and operational specifications relating to the memory card and interpreter, we will expeditiously proceed with our comprehensive review of your application.

If you have any questions, feel free to contact me at (916) 657-2166 or via email at cdaniels@ss.ca.gov.

Sincerely,

Caren Daniels-Meade
Chief, Elections Division

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Mr. David Byrd

Application under review relates to the following components:
<i>GEMS Software version 1.18.24</i>
<i>AccuVote-TSX with AccuView Printer Module hardware</i>
<i>AccuVote-TSX Ballot Station firmware version 4.6.4</i>
<i>AccuVote-OS (model D) with firmware version 1.96.6</i>
<i>AccuVote-OS Central Count firmware version 2.0.12</i>
<i>Voter Card Encoder version 1.3.2</i>
<i>Key Card Tool software version 4.6.1</i>
<i>VC Programmer software version 1.3.2</i>
<i>AccuFeed</i>